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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,900	12/26/2001	Douglas M. Fieldhouse	CSZ 303	8315
23581	7590	08/23/2006	EXAMINER	
KOLISCH HARTWELL, P.C. 200 PACIFIC BUILDING 520 SW YAMHILL STREET PORTLAND, OR 97204			TIEU, BINH KIEN	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/032,900

Applicant(s)

FIELDHOUSE ET AL.

Examiner

BINH K. TIEU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-9, 13, 23, 40, 46 and 55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-9, 13, 23, 40, 46 and 55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION***Response to Arguments***

1. Applicant's arguments, see Applicants' Remarks, filed 12/27/2005, with respect to the rejection(s) of claim(s) 1-55 under the combination of previous cited references have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the combination of new references to Chan et al. (Pub. No.: US 2006/0003736 A1), Hopper et al. (Pub. No.: US 2003/0048888 A1) and Justice et al. (US. Pat. #: 6,516,056).

In response to the Applicants' arguments stated in the above-mentioned remarks wherein the Applicants mainly argued and focused on that the previous cited prior art, in the combination or alone, fails to clearly teach:

a) a predetermined recharge amount to the stored-value calling account. However, the newfound reference, Chan et al., is believed to teach such features;

b) the communication program is configured to access a toll free gateway in the communication network when communicating with the recharge service. However, the newfound reference, Hopper et al., is believed to teach such features; and

c) applying fraud detection measures in association with the payment account, including assessing a risk level of the transaction by identifying any fraud indicators associated with the payment account, and determining whether the assessed risk level meets or exceeds a predetermined threshold. . However, the newfound reference, Justice et al., is believed to teach such features,

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen et al. (US Pat. #: 5,812,945) in view of Dahm et al. (US. Pat. #: 6,466,783)(wherein ***both references were cited in the previous Office Action***), and further in view of Chan et al. (Pub. No.: US 2006/0003736 A1).

Regarding claim 7, Hansen et al. ("Hansen") teaches a wireless telephone device having an associated stored-value calling account, the wireless telephone device comprising:

a communications program configured to communicate with a recharge service via a communication network (i.e., a program would go to refill if the refill was desired by a

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user; and a process of dialing out a call in a wire communication network such as a wireless connection between an antenna of the cellular phone 500 and an antenna 509 of the data center 510 as shown in figure 1); and

a recharge option selectable by a user (i.e., refill option is desired by the user), the recharge option being configured to cause the communications program to initiate both a connection to the communication network (i.e., wireless connection is initiated between the antenna of the cellular phone 500 and the antenna 509) and a recharge transaction with the recharge service (i.e., with VRU 499, Computer 511 and Vault 512 of Data Center 510) via the communication network, in order to add calling units to the stored-value calling account (note col.4, line 59 through col.5, line 28).

It should be noticed that that Hansen teaches a key of keypad is pressed for displaying the remaining funds (see col.4, lines 61-64). Hansen fails to clearly teach a key of keypad as a selector being pressed as initiating refill service. However, Dahm et al. ("Dahm") teaches such feature in col.8, lines 8-10 and figure 5.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teaching of Dahm into that of Hanson thus making it possible to activate services using any known input means.

It should be further noticed that both Hansen and Dahm, in combination, fails to clearly teaches the well-known features of the recharge option being configured to cause the communication program to connect a recharge server of the recharge service and add a predetermined recharge amount to the stored-value calling account, as amended and argued by the Applicants. However, Chen et al. (Hereinafter, Chan) teaches such well-

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known features in paragraphs [0039] and [0048]-[0049] for a purpose of quickly and precisely replenishing the prepaid account.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teaching of the well-known features of the recharge option being configured to cause the communication program to connect a recharge server of the recharge service and add a predetermined recharge amount to the stored-value calling account, as amended and argued by the Applicants, as taught by Chen, into view of Hansen and Dahm in order to quickly and precisely add calling units to the prepaid account.

Regarding claims 8-9, Chen further teaches limitations of the claims in above paragraphs [0039] and [0048]-[0049].

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen et al. (US Pat. #: 5,812,945) in view of Dahm et al. (US. Pat. #: 6,466,783).

Regarding claim 13, Hansen teaches a wireless telephone device having an associated stored-value calling account, the wireless telephone device comprising:

a communications program configured to communicate with a recharge service via a communication network (i.e., a program would go to refill if the refill was desired by a user; and a process of dialing out a call in a wire communication network such as a wireless connection between an antenna of the cellular phone 500 and an antenna 509 of the data center 510 as shown in figure 1); and

a recharge option selectable by a user (i.e., refill option is desired by the user), the recharge option being configured to cause the communications program to initiate both a

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connection to the communication network (i.e., wireless connection is initiated between the antenna of the cellular phone 500 and the antenna 509) and a recharge transaction with the recharge service (i.e., with VRU 499, Computer 511 and Vault 512 of Data Center 510) via the communication network, in order to add calling units to the stored-value calling account (note col.4, line 59 through col.5, line 28).

It should be noticed that that Hansen teaches a key of keypad is pressed for displaying the remaining funds (see col.4, lines 61-64). Hansen fails to clearly teach a key of keypad as a selector being pressed as initiating refill service; and wherein the recharge option is an entry in a contact list, the entry, upon selection, being configured to cause the telephone communications program to initiate a telephone call to the recharge service. However, Dahm teaches a key of keypad as a selector being pressed as initiating refill service (col.10, lines 6-13 and figure 5). Dahm further teaches that the wireless terminal or client terminal 106 displays a menu providing entries or choices to a plurality of aspects of account services including user account, help, service requests, etc... Each choice is associated with a link or a URL address. Therefore, there is a list of URL addresses associated with the choices (see col.10, lines 17-35) for a purpose of fully providing prepaid services to prepaid customers.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teaching of Dahm into that of Hansen thus making it possible to activate services using any known input means.

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5. Claims 23 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US Pat. #: 5,812,945) in view of Dahm et al. (US. Pat. #: 6,466,783), and further in view of Hopper et al. (Pub. No.: US 2003/0048888 A1).

Regarding claims 23 and 46, Hansen teaches a wireless telephone device having an associated stored-value calling account, the wireless telephone device comprising:

a communications program configured to communicate with a recharge service via a communication network (i.e., a program would go to refill if the refill was desired by a user; and a process of dialing out a call in a wire communication network such as a wireless connection between an antenna of the cellular phone 500 and an antenna 509 of the data center 510 as shown in figure 1); and

a recharge option selectable by a user (i.e., refill option is desired by the user), the recharge option being configured to cause the communications program to initiate both a connection to the communication network (i.e., wireless connection is initiated between the antenna of the cellular phone 500 and the antenna 509) and a recharge transaction with the recharge service (i.e., with VRU 499, Computer 511 and Vault 512 of Data Center 510) via the communication network, in order to add calling units to the stored-value calling account (note col.4, line 59 through col.5, line 28).

It should be noticed that that Hansen teaches a key of keypad is pressed for displaying the remaining funds (see col.4, lines 61-64). Hansen fails to clearly teach a key of keypad as a selector being pressed as initiating refill service. However, Dahm teaches such feature in col.10, lines 8-10 and figure 5.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teaching of Dahm into that of Hanson thus making it possible to activate services using any known input means.

It should be further noticed that both Hansen and Dahm, in combination, fails to clearly teaches the features of wherein the communication program is configured to access a toll free gateway in the communication network when communicating with the recharge service. However, Hopper et al. ("Hoper") teaches such features in paragraphs [0021], [0045], [0053] and [0080] for a purpose of routing calls to prepaid service provider.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of the features of wherein the communication program is configured to access a toll free gateway in the communication network when communicating with the recharge service, as taught by Hopper, into view of Hansen and Dahm in order to route calls to desired prepaid service provider for providing services to prepaid subscribers' accounts.

6. Claims 40 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen et al. (US Pat. #: 5,812,945) in view of Dahm et al. (US. Pat. #: 6,466,783), and further in view of Justice et al. (US Pat. #: 6,516,056).

Regarding claims 40 and 55, Hansen teaches a wireless telephone device having an associated stored-value calling account, the wireless telephone device comprising:

a communications program configured to communicate with a recharge service via a communication network (i.e., a program would go to refill if the refill was desired by a

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user; and a process of dialing out a call in a wire communication network such as a wireless connection between an antenna of the cellular phone 500 and an antenna 509 of the data center 510 as shown in figure 1); and

a recharge option selectable by a user (i.e., refill option is desired by the user), the recharge option being configured to cause the communications program to initiate both a connection to the communication network (i.e., wireless connection is initiated between the antenna of the cellular phone 500 and the antenna 509) and a recharge transaction with the recharge service (i.e., with VRU 499, Computer 511 and Vault 512 of Data Center 510) via the communication network, in order to add calling units to the stored-value calling account (note col.4, line 59 through col.5, line 28).

It should be noticed that that Hansen teaches a key of keypad is pressed for displaying the remaining funds (see col.4, lines 61-64). Henson fails to clearly teach a key of keypad as a selector being pressed as initiating refill service. However, Dahm et al. ("Dahm") teaches such feature in col.8, lines 8-10 and figure 5.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the teaching of Dahm into that of Hanson thus making it possible to activate services using any known input means.

It should be also noticed that Hansen and Dahm, in combination, fails to clearly teaches the features of applying fraud detection measures in association with the payment account, including assessing a risk level of the transaction by identifying any fraud indicators associated with the payment account, and determining whether the assessed risk level meets or exceeds a predetermined threshold. However, Justice et al. ("Justice")

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teaches such features in the flow chart in figure 4, col.8, line 37 through col.12, line 32 for a purpose of preventing fraud from prepaid accounts transactions.

Therefore, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate the use of the features of applying fraud detection measures in association with the payment account, including assessing a risk level of the transaction by identifying any fraud indicators associated with the payment account, and determining whether the assessed risk level meets or exceeds a predetermined threshold, as taught by Justice, into view of Hansen and Dahm in order to prevent frauds from the prepaid accounts transactions.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499 and **IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.**

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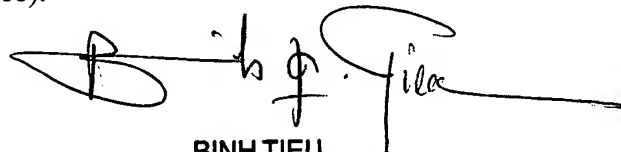
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BINH TIEU
PRIMARY EXAMINER

Technology Division 2614

Date: August 2006